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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,789	07/31/2003	Jin-Ru Chen		7882

7590 07/03/2007  
BRUCE H. TROXELL  
SUITE 1404  
5205 LEESBURG PIKE  
FALLS CHURCH, VA 22041

EXAMINER

ZAIDI, SYED

ART UNIT	PAPER NUMBER
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2616

MAIL DATE	DELIVERY MODE
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07/03/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	Application No. 10/630,789	Applicant(s) CHEN ET AL.	
	Examiner Syed Zaidi	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) ✓        | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### **Priority**

Acknowledgment is made of applicant's claim for foreign priority  
under 35 U.S.C. 119(a)-(d).

### **Claim Objections**

Claims 17 and 18 are objected to because of the following  
informalities method instead of system. Appropriate correction is  
required.

### **Claim Rejections - 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35  
U.S.C. 102 that form the basis for the rejections under this section  
made in this Office action:

A person shall be entitled to a patent unless –

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1- 20** are rejected under 35 U.S.C. 102(e) as being anticipated by **Bollay et al. (US Patent # US 7,046,666 B1)**.

**Consider claim 1, 12 and 19, Bollay et al.** clearly shows and discloses a system and method for detecting a connection status in a network, wherein the network comprises at least a first node and a second node (Column 4 line 14-20), the system comprising: a request frame transmitted by the first node including a source address comprising an address of the first node (Column 4 line 15-25) and a reply frame transmitted by the second node after receiving the request frame including a destination address comprising the address of the first node (Column 4 line 28-34); wherein the first node determines the connection status in a link layer according to the destination (Column 9 line 24-33) address of the reply frame.

**Consider claims 2, 14 and 20, and as applied to claims 1, 12 and 19** respectively, **Bollay et al.** clearly shows and discloses a system and method for detecting a connection status in a network, wherein the first node re-transmits the request frame if not receiving

the reply frame within a predetermined response time period  
(Column 10 line 56-64 and figure # 3 and device 320 or 340).

**Consider claim 3, as applied to claims 1, Bollay et al.**

clearly shows and discloses a system for detecting a connection status in a network, wherein both the destination address (Column 9 line 24-28) of the request frame and the source address of the reply frame comprise an address of the second node (Column 4 lines 15-25).

**Consider claim 4, as applied to claim 1, Bollay et al.** clearly shows and discloses a system for detecting a connection status in a network, wherein both the destination address of the request frame and the source address of the reply frame comprise a broadcast address (Column 4 line 28-34).

**Consider claim 5, and 15, and as applied to claims 1 and 12** respectively, **Bollay et al.** clearly shows and discloses a system and method for detecting a connection status in a network, wherein the

first node and the second node (Column 4 line 14-20), comprise a network interface card (NIC) or a switch (Column 10 line 17-25).

**Consider claim 6, and 16, and as applied to claims 5 and 15 respectively, Bollay et al.** clearly shows and discloses a system and method for detecting a connection status in a network, respectively, wherein if the second node (Column 4 line 14-20) comprises the NIC (Column 10 line 17-25) it transmits the reply frame when the destination address of the received request frame comprises an address of the second node (Column 4 line 14-20).

**Consider claim 7, and 17, and as applied to claims 5 and 15 respectively Bollay et al.** clearly shows and discloses a system and method for detecting a connection status in a network, wherein if the second node comprises the switch (Column 4 line 14-20) it transmits the reply frame when the destination address (Column 9 line 24-33) of the received request frame comprises a broadcast address (Column 12 line 40-49 and figure # 3 element 402).

**Consider claim 8, and 18, and as applied to claims 5 and 15** respectively **Bollay et al.** clearly shows and discloses a system and method for detecting a connection status in a network, wherein if the second node comprises the switch, it selectively transmits the reply frame (Column 10 line 56-64 and figure # 3 and device 320 or 340) when the destination address of the received request frame (Column 9 line 24-33) comprises an address of the second node (Column 4 line 14-20).

**Consider claim 9, Bollay et al. and as applied to claims 1,** clearly shows and discloses a system for detecting a connection status in a network, wherein both the request and the reply frame comprise an opcode for indicating the request frame and the reply frame respectively (Column 4 line 21-34 and Abstract).

**Consider claim 10, Bollay et al. and as applied to claims 1,** clearly shows and discloses a system for detecting a connection status in a network, wherein both the request frame (Column 4 line 15-25) and the reply frame comprise an identifier for indicating supporting the system (Column 13 line 9-15).

**Consider claim 11 Bollay et al. and as applied to claims 1,**  
clearly shows and discloses a system for detecting a connection  
status in a network, wherein the network is an Ethernet network  
(Column 10 line 17-22 and figure # 3).

**Consider claim 13, Bollay et al. and as applied to claims 12,**  
clearly shows and discloses a method for detecting a connection  
status in a network, wherein the first node determines the connection  
status through checking whether the destination address of the reply  
frame comprises the address of the first node when receiving the  
reply frame within a predetermined response time period after the  
first node transmits the request frame (Column 11 line 10-39).

### **Conclusion**

Any response to this Office Action should be **faxed to** (571)  
273-8300 **or mailed to:**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



**Hand-delivered responses** should be brought to

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Syed Zaidi whose telephone number is (571) 270-1779. The Examiner can normally be reached on Monday-Thursday from 6:30am to 5:00pm.

If attempts to reach the Examiner by telephone are Unsuccessful, the Examiner's supervisor, Rafael Pérez-Gutiérrez can be reached on (571) 272-7915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair->

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Syed Zaidi  
S.Z/s.z

May 22nd 2007.

*Seema S. Rao*  
SEEMA S. RAO 6/11/07  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

